

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT 2000, PRESIDING
TOMMY LEWIS, PRESIDENT 2001, PRESIDING

January 2, 2001

A. CALL TO ORDER

The January 2, 2001, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach, Board President 2000.

Chief Deputy Charlie Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

- Jessie Medlin-----District 1
- Eugene C. Thach-----District 2
- Gerald Clifton-----District 3
- John Caldwell-----District 4
- Tommy Lewis-----District 5
- W. E. ASluggo@ Davis-----Chancery Clerk
- James Albert Riley-----Sheriff
- David Armstrong-----County Administrator
- William H. Austin, Jr.-----Board Attorney

B. INVOCATION

County Administrator David Armstrong presented the invocation.

C. APPROVAL OF DECEMBER MINUTES

The official minutes of the Board of Supervisors were read for the month of December 2000, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisors for December 2000 with various corrections as agreed by the Board of Supervisors. The motion passed by a unanimous vote.

D. ORGANIZATION OF THE BOARD

1. Board President

In accordance with Section 19-3-7 of the Mississippi Code of 1972, Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to nominate Supervisor Tommy Lewis as President of the Board. The motion passed by a unanimous vote.

2. Board Vice-President

In accordance with Section 19-3-7 of the Mississippi Code of 1972, Supervisor Gerald Clifton made a motion and Supervisor Tommy Lewis seconded the motion to nominate Supervisor Jessie Medlin as Vice President of the Board. The motion passed by a unanimous vote.

ITEM D, CONTINUED,

Supervisor Eugene Thach expressed his appreciation to the Board of Supervisors for their cooperation during his term of service as president of the Board and said he looks forward to working with the new president during the coming year.

E. OLD BUSINESS

F. NEW BUSINESS

1. Appointments to Boards and Commissions

In accordance with Section 19-5-307 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to appoint following list of people to represent the assigned District for a term of one year or as stated. The motion passed by a vote as follows:

APPOINTMENT	DISTRICT	CURRENT TERM EXPIRES	NEW TERM EXPIRES	CURRENT APPOINTEE
Board of Adjustments	1	Jan. 2, 2001	Jan. 7, 2002	Wayne D. Hollowell
	2	Jan. 2, 2001	Jan. 7, 2002	Carlton Gatlin
	3	Jan. 2, 2001	Jan. 7, 2002	Kinsey Wilhite
	4	Jan. 2, 2001	Jan. 7, 2002	Ruthie House
	5	Jan. 2, 2001	Jan. 7, 2002	Wayne Anderson
Recreational District	Vacant			
Lewisburg Fire Prot. District		Jan. 2, 2001	Jan. 3, 2006	Charles McInvale
Summershill Fire District		Jan. 2, 2001	Jan. 3, 2006	Herbert D. Hunt
Walls Fire Protection Dist.		Jan. 2, 2001	Jan. 3, 2006	Ronald James
Eudora Fire Prot. District		Jan. 2, 2001	Jan. 3, 2006	Ernie Bowien
Horn Lake Creek Interceptor Sewer	2		Jan. 4, 2005	Tom Arnold
DeSoto County Library Bd.	1	Jan. 2, 2001	Jan. 3, 2006	David Heuer
	3	Dec. 31, 1999	Jan. 3, 2005	Annie Ruth Brown
City of Horn Lake Library Bd.	3	Jan. 2, 2001	Jan. 7, 2002	Amy Austin
	4	Jan. 2, 2001	Jan. 7, 2002	Mary Deaton
City of Olive Branch Lib. Bd.	4	Jan. 2, 2001	Jan. 7, 2002	Connie Sparks
	1	Jan. 2, 2001	Jan. 7, 2002	Lelia Payne
	1	Jan. 2, 2001	Jan. 7, 2002	Betty Collins
City of Souhaven Library Bd	1	Jan. 2, 2001	Jan. 7, 2002	Gail Hanna
	2	Jan. 2, 2001	Jan. 7, 2002	Donna Bouchillon
	3	Jan. 2, 2001	Jan. 7, 2002	Betty Moore
License Commission	1	Jan. 2, 2001	Jan. 7, 2002	Ed Paseur
	2	Jan. 2, 2001	Jan. 7, 2002	Dale Watson
	3	Jan. 2, 2001	Jan. 7, 2002	Layton Allen "Pete" Scott Jr.
	4	Jan. 2, 2001	Jan. 7, 2002	John Harpole
	5	Jan. 2, 2001	Jan. 7, 2002	David R. Johnson
Massage Parlor Commission	Clerk	Jan. 2, 2001	Jan. 7, 2002	Dale Thompson
Park Commission	1	Jan. 2, 2001	Jan. 7, 2002	Bill Welch
	2	Jan. 2, 2001	Jan. 7, 2002	Mike Mullins
	3	Jan. 2, 2001	Jan. 7, 2002	Dave Moore
	4	Jan. 2, 2001	Jan. 7, 2002	Don Carnell
	5	Jan. 2, 2001	Jan. 7, 2002	Bowdre Emerson
Planning Commission	1	Jan. 2, 2001	Jan. 7, 2002	Len Lawhon

ITEM F.1, CONDINUED,

APPOINTMENT	DISTRICT	CURRENT TERM EXPIRES	NEW TERM EXPIRES	CURRENT APPOINTEE
Planning Commission	1	Jan. 2, 2001	Jan. 7, 2002	Julius Cowan, Jr.
	1	Jan. 2, 2001	Jan. 7, 2002	Gail Massey
	2	Jan. 2, 2001	Jan. 7, 2002	Charles W. McNemar
	2	Jan. 2, 2001	Jan. 7, 2002	Leonard Lindsey
	2	Jan. 2, 2001	Jan. 7, 2002	Edward Williams
	3	Jan. 2, 2001	Jan. 7, 2002	Howard Blankinship
	3	Jan. 2, 2001	Jan. 7, 2002	Pat Koehler
	3	Jan. 2, 2001	Jan. 7, 2002	Mitch Mitchell
	4	Jan. 2, 2001	Jan. 7, 2002	James Mayfield
	4	Jan. 2, 2001	Jan. 7, 2002	Max L. May
	4	Jan. 2, 2001	Jan. 7, 2002	Claudia Niebanck
	5	Jan. 2, 2001	Jan. 7, 2002	Jimmy L. Maxwell
	5	Jan. 2, 2001	Jan. 7, 2002	Mike Robinson
	5	Jan. 2, 2001	Jan. 7, 2002	Paul Whitfield, Jr.
	Attorney	Jan. 2, 2001	Jan. 7, 2002	William H. Austin
Walls Sewer District		Jan. 2, 2001	Jan. 3, 2006	Susan McCracken
Handicap Compliance Grev.	1	Jan. 2, 2001	Jan. 7, 2002	Trudy Haven
	2	Jan. 2, 2001	Jan. 7, 2002	Sara Watkins
	3	Jan. 2, 2001	Jan. 7, 2002	Marvin Graves
	4	Jan. 2, 2001	Jan. 7, 2002	Barry Carter
	5	Jan. 2, 2001	Jan. 7, 2002	Barbara Chamberlin
MS Area of Govt Rep.		Jan. 2, 2001	Jan. 7, 2002	John Caldwell
Mid-State Opportunity Board of Directors		Jan. 2, 2001	Jan. 7, 2002	Jessie L. Medlin
North Delta Plng. & Dev Dist.	Bd of Sup	Jan. 2, 2001	Jan. 7, 2002	Tommy Lewis
	Min. Rep.	Jan. 2, 2001	Jan. 7, 2002	Charlie Reese
	City of OB	Jan. 2, 2001	Jan. 7, 2002	Mayor Sam Rikard
	At Large Rep.	Jan. 2, 2001	Jan. 7, 2002	Lorine Cady
DeSoto Co. Tax Advisory Co.	BOS Rep	Jan. 2, 2001	Jan. 7, 2002	Harold Nichols
DeSoto Council	Tax Collector	Jan. 2, 2001	Jan. 7, 2002	Joey Treadway
	Tax Assessor	Jan. 2, 2001	Jan. 7, 2002	Parker Pickle
	Chan. Clerk	Jan. 2, 2001	Jan. 7, 2002	W.E. Davis
	County Admin	Jan. 2, 2001	Jan. 7, 2002	David Armstrong
	Past Chairman	Jan. 2, 2001	Jan. 7, 2002	Chris Creely
	Chairman	Jan. 2, 2001	Jan. 7, 2002	Murray Scott
	Vice-Chairman	Jan. 2, 2001	Jan. 7, 2002	Harvey Ferguson
	Board Attorney	Jan. 2, 2001	Jan. 7, 2002	William H. Austin, Jr.
Regional Utility Authority		Jan. 2, 2001	Jan. 7, 2002	Don Chambliss Sr.

Supervisor Gerald Clifton made a motion and Supervisor Tommy Lewis seconded the motion to appoint Howard Blankinship to the position of third district Planning Commission Committee. The motion passed by a unanimous vote.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to appoint Barry Carter to the position of fourth district Handicap Compliance Grievance Committee. The motion passed by a unanimous vote.

Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to appoint Supervisor John Caldwell to the position of MS Area of Government Representative. The motion passed by a unanimous vote.

ITEM F.1, CONTINUED,

EMPLOYMENT APPOINTMENTS	TERM EXPIRES	CURRENT APPOINTEE	BOND EXPIRES	MS CODE
Board Attorney	Yearly	William H. Austin, Jr.	No Bond	19-3-47
Civil Defense Director		T.H. Walker		33-15-17
Comptroller		Joyce Riales		19-3-61
Cooperative Extension Service				19-5-63
Extension Home				
Economist		Arthur D. Smith		
County Coordinator		Arthur D. Smith		
County Agent		Arthur D. Smith		
4-H Agent		Janet Jolley		
County Administrator		David Armstrong	Indefinite	19-4-1
County Engineer		Tom Childress	Indefinite	65-17-201
Consultant Engineer		Daniel L. Murphy	Indefinite	
County Road Manager		Kenneth Gunn	Indefinite	65-17-1
EEOC Officer		Ann Richmond		
EMS Director		Bobby Storey		
Fire Service Coordinator		Bobby Storey		19-3-71
Arson Investigator		Mike Hancock		83-1-39
Inventory Clerk		Bonnie Gatlin		31-7-107
Asst. Inventory Clerk		Mitzi Fuller		31-7-107
Asst.Inventory Clerk Cent.		Kim Northcut		31-7-107
Maint				
Justice Court Clerk		Linda Aldridge	No Bond	9-11-27
Deputy Clerk		Bertha Kimble	Indefinite	9-11-27
Deputy Clerk		Anessia Shearon	No Bond	9-11-27
Deputy Clerk		Susan Ford	Indefinite	9-11-27
Deputy Clerk		Barbara Porter	No Bond	9-11-27
Deputy Clerk		Deborah Rutherford	Indefinite	9-11-27
Deputy Clerk		Donna Feezor	Indefinite	9-11-27
Deputy Clerk		Loretta Smith	6/10/99	9-11-27
Deputy Clerk		Heather Dawn Vick	No Bond	9-11-27
Mental Health Representative		James Sims		
Purchase Clerk		Jeannine Ruby		31-7-101
Asst. Purchase Clerk		Pat Stewart		31-7-101
Receiving Clerk		Ann Richmond		31-7-101
Asst. Receiving Clerk Cent.Ma.		Gail Bernard		31-7-101
Asst. Receiving Clerk Ex.Ser.		Myra Wells		31-7-101
Asst. Receiving Clerk Ex.Ser.		Debbie Rouse		31-7-101
Asst. Receiving Clerk Justice		Bertha Kimble		31-7-101
Ct				
DHS		Joyce Skillern		31-7-101
DHS		Jeanie Weathers		31-7-101
Child Support		Joyce Skillern		31-7-101
Sheriff's Department		Belinda Dean		31-7-101
Courthouse		Carol Hurt		31-7-101
Courthouse		Brigette Herring		31-7-101
Courthouse		Julie McMath		31-7-101
Metro Narc.		Deborah McCaulla		31-7-101
EMS		Sue Caldwell		31-7-101
EMS		DeAnna Moore		31-7-101
Circuit Clerk		Rikki Ogle		31-7-101
Circuit Clerk		Lana Bruns		31-7-101
Chan. Clerk		Misty T. Heffner		31-7-101
Chan. Clerk		Peggy M. Starkey		31-7-101

Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to appoint Tom Childress to the position of County Engineer and Daniel Murphy to the position of County Consulting Engineer. The motion passed by a unanimous vote.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to remove Lisa Gheorghia from the Justice Court Clerk position and the Justice Court Asst. Receiving Clerk position. The motion passed by a unanimous vote.

2. Acceptance of Grant – First Regional Library

County Administrator David Armstrong stated that Jim Anderson, Director of First Regional Libraries was coming before the Board of Supervisors seeking approval of a signature of the Board President for three grants for three DeSoto County Libraries. Mr. Anderson stated that the grant amounts for the Hernando Library is \$500,000, the Olive Branch Library is \$500,000, and for construction of a new library in Southaven is \$300,000 and for equipment for the new library is \$101,900. This would be a total grant amount of \$1,401,900 for DeSoto County.

Supervisor Jessie Medlin asked where the site for the new library in Southaven would be located. Mr. Anderson stated that the site that was being looked at was in the vicinity of Snowden Park but there was some concern about the size of lot for parking and future expansion. Supervisor John Caldwell stated that they might want to talk with the School Board about the land in front of the DeSoto Central School.

Supervisor Jessie Medlin asked what determined the grant amount of \$500,000 for the existing libraries and only \$300,000 for a new library. Mr. Anderson stated that only \$300,000 could be used for new construction and the balance of \$200,000 would be used for renovation and equipment expense. Supervisor Tommy Lewis asked Mr. Anderson if with the County match of \$3,000,000 would this be enough for the libraries. Mr. Anderson stated that is might not be enough. Supervisor Eugene Thach said that the County does not have funds in the budget for any additional expense for the libraries and if more funds were needed, they would have to come from another project the County has designated funds for. Mr. Anderson stated that Marvin Johnson would be the architect for the libraries and that at this time no cost have been established for the libraries. Supervisor Tommy Lewis stated that the Board of Supervisors need to advise Marvin Johnson that the County has \$4.5 Million to work with and for the expenses to stay in this budget amount.

Mr. Anderson asked for the Board of Supervisors guidance on the expansion of the Hernando and Olive Branch libraries due to this being the last time that the County will be able to do an addition to these libraries due to property space limitations.

Mr. Anderson stated that all paperwork would have to be in to the State by February 29, 2001 and that the inspection reports for lead paint and asbestos on the Hernando and Olive Branch libraries must accompany the paperwork to the State for the grant.

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to hire Marvin Johnson, architect, to inspect for lead paint and asbestos to make a determination for the Hernando and Olive Branch libraries. The motion passed by a unanimous vote.

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept the library grants and approved the Board President to sign grants. The motion passed by a unanimous vote.

Supervisor Tommy Lewis asked what the time frame was for completion of the libraries. Mr. Anderson stated that completion date is three years from November 29, 2000, which is when the

state bond funds were sold. Supervisor Jessie Medlin asked for Mr. Anderson to meet with the Olive

ITEM F.2, CONTINUED,

Branch mayor to see what agreement they have on the libraries.

3. Acceptance of Grant – Recycling

Director of Operations and Maintenance Jim Bearden stated that the County had been awarded a grant in the amount of \$25,875 for the County recycling program. Mr. Bearden said that he and the County Administrator David Armstrong have planned a trip to Batesville to look at four trailers to be used in the recycling program for transporting paper, cardboard, plastic, and aluminum cans. These trailers are sixteen to eighteen feet long. Mr. Bearden asked the Board of Supervisors for approval to purchase four trailers at this time to begin the recycling program. Mr. Bearden stated that the County would have to put the money out on the front end but would be reimbursed when receipts were submitted to MDEQ.

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to accept the recycling grant at \$25,875.00 to be used in the County Recycling Program. The motion passed by a unanimous vote.

County Administrator David Armstrong stated that the County would not be matching funds with the grant for the recycling program. Mr. Bearden said the Tree Savers would be separating the trailers out for the County and that eventually the County could have ten to twelve trailers in the recycling program. Mr. Bearden stated that there would be signage around all trailers about the types of products to be used in the recycling program. Mr. Bearden said that the location of the trailers would be important, so that they could be policed or monitored closely to make sure that the trailers are not being used for garbage dumps. Supervisors Jessie Medlin stated that the trailers need to be kept clean like paper bins are at other locations. Supervisor Tommy Lewis asked if the County had a garbage ordinance and Mr. Bearden stated that the County does have a garbage ordinance and that he will be looking at garbage if it appears in the trailers to try and get a name and address of persons dumping garbage in the trailers.

4. Accounting – Comptroller Joyce Riales

a. Interfund Transfer

At the recommendation of Comptroller Joyce Riales, Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to authorize and instruct the Chancery Clerk, pursuant to Section 41-29-185 of the Mississippi Code of 1972, as amended, to transfer the following forfeited funds that were seized by Metro Narcotics:

<u>Case Number</u>	<u>Defendant</u>	<u>Date Seized</u>	<u>County Receipt</u>	<u>Amount</u>
DC-0216-1-00	Anthony C. Banis	10/7/00	11419	\$ 25.00
DC-0216-1-00	Christopher Johnson	10/7/00	11419	\$ 215.00
DC-0215-1-00	Dell Odom	10/7/00	11419	\$ 71.00
DC-0208-1-00	Thomas Butler Jr.	9/21/00	11419	\$ 24.00
DC-0208-1-00	Victor S. Saig	9/21/00	11419	\$ 110.00
DC-0172-1-00	Michael D. Munn	8/5/00	11179	\$ 42.00
DC-0171-1-00	Shaun K. Young	8/5/00	11179	\$ 200.00
DC-0166-1-00	Reginald Hopkins	8/2/00	11130	\$ 175.00
DC-0249-1-99	Michael S. Crowder	1/4/00	10337	\$ 734.00
DC-0178-1-99	Robert L. Smith	9/16/99	10046	\$ 304.00
DC-0064-1-99	Tami R. Morton	4/8/99	9522	\$ 289.00
DC-0203-1-97	Melvin Woods	12/15/97	7834	\$ 320.00
DC-0009-1-97	Josques C. Stevens	3/8/97	6863	\$ 220.00
DC-96-000084	Jodie K. Bear	3/25/96	5831	\$ 264.00

Transfer From 123-900-950 Metro Narcotics Seized \$2,993.00
Transfer To 105-000-384 Metro Narcotics Forfeitures \$2,993.00

ITEM F.4.a, CONTINUED,

The motion passed by a unanimous vote. ****See Exhibit F.4.a****

b. Claims Docket

(1.) Seiler Construction Company – Courthouse Renovation

Comptroller Joyce Riales and Stephanie Hanks presented the claims docket showing claims that need to be paid for various departments as of January 2, 2001, in accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller subject to obtaining signatures from the Extension Service, Family and Children, and Chancery Court Administrator Linda Stinson, which needs the authorization by the Department Director to ok the payment, with the total amount of claims docket being \$2,814,443,30. The motion passed by a unanimous vote. ****See Exhibit F.4.b****

c. Investment of Surplus Funds

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any county shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business days, the Board of Supervisors of such county shall invest such excess funds.

At the recommendation of the Comptroller, Joyce Riales, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the investment of surplus funds to Trustmark National Bank, who was the high bidder that placed their bid on time for funds as follows:

<u>Date of Investment</u>	<u>Bank</u>	<u>Amount</u>	<u>Maturity Date</u>	<u># of Days</u>	<u>Interest Rate</u>	<u>CD#</u>
12/28/00	Trustmark	\$1,800,000,00	2/14/01	48	6.35%	8611507

The motion passed by a unanimous vote. ****See Exhibit F.4.c****

d. Approval to Ratify Bond Payments

Verified loan repayment documents for DeSoto County Account #71-61-5881-3T 5 \$10,000,000 Mississippi Development Bank Promissory Note dated October 9, 2000 were presented by copy to each Supervisor. Payment to be made to Hancock Bank against the following accounts as follows:

<u>Account #</u>	<u>Description</u>	<u>Payment Amount</u>
001-801-800	Principal	\$11,666.67
001-801-801	Interest	\$11,627.65
		\$23,294.32

Verified loan repayment documents for \$18,000,000 MS Development Bank Special Obligation Bonds, Series 2000 (DeSoto County, MS General Obligation Public Improvement Bond Project) Issue #0350, were presented by copy to each Supervisor. Payment for variable rate interest to be made for thirty-two days period to Trustmark Bank against the following account:

<u>Account #</u>	<u>Description</u>	<u>Payment Amount</u>
215-800-801	Interest	\$71,067.51

The Comptroller explained that these bills are received late and must be paid immediately to

avoid a penalty. The Board of Supervisors acknowledged their approval of the payment. ****See Exhibit F.4.d****

ITEM F, CONTINUED

5. Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, Mississippi Code of 1973, Annotated, Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to pay Lee Hodge the amount of \$160.00 for the month of December, 2000; to pay Floyd Medlin the amount of \$200.00 for the month of December, 2000; to pay Joe Holmes the amount of \$80.00 for the month of December, 2000, for their service as bailiff for DeSoto County Justice Court. The motion passed by a unanimous vote. ****See Exhibit F.5****

6. Justice Court Report

The DeSoto County Justice Court Clerk, Linda Aldridge, sent a copy to the Board of Supervisors of the Justice Court Report for the month of December 2000, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to accept the Justice Court Report for the month of December 2000. The vote passed by a unanimous vote. ****See Exhibit F.6****

7. Approval of Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of January 2, 2001 to February 5, 2001, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize travel for all officials and employees of DeSoto County for the period of January 2, 2001, to February 5, 2001. The motion passed by a unanimous vote.

Supervisor Jessie Medlin asked who travels beside elected officials. The County Administrator stated that County personnel travel for training and other purposes and that the County Administrator approves travel prior to event according to the current and previous personnel manual.

Supervisor Eugene Thach asked if approval of the County Administrators old vehicle was authorized to be driven home at night for Mr. Curtis. County Administrator David Armstrong stated that the Board of Supervisors did authorize Mr. Curtis to drive the car home at night, due to calls coming in the night for him. Mr. Armstrong stated that Mr. Curtis has to keep a log of all mileage for the vehicle.

8. Horn Lake Interceptor Sewer Offer to Donate A Surplus Truck to County

Board Attorney Bill Austin presented a letter to the Board of Supervisors from the Horn Lake Creek Basin Interceptor Sewer District regarding donation of a 1993 GMC pickup truck. Mr. Austin stated that the HLCBISD does not have the authority to give or sell the vehicle to anyone but the County. They state in the letter the request for the County to donate the truck to the Nesbit Fire Department to be used as a grass fire vehicle. Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to accept the 1993 GMC truck from the Horn Lake Creek Basin Interceptor Sewer District. The motion passed by a unanimous vote.

In making a factual determination that there is no immediate need for the truck in County offices and the truck will aid the Nesbit Volunteer Fire Department, and in accordance with Section 83-1-39 of the Mississippi Code which states that "any county-owned equipment or other property, at the option of the board of supervisors, may be used by any legally created fire department," and Attorney

General’s opinions 95-0858 and 95-0002 Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to declare the 1993 GMC Pickup received from the Horn Lake

ITEM F.8, CONTINUED

Creek Basin Interceptor Sewer District as surplus and donate it to the Nesbit Fire Department. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene C. Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	ABSTAIN
Supervisor Tommy Lewis	YES

****See Exhibit F.8****

9. Approval to Draw \$2.2 Million from the State Development Bank for Civic Center

County Administrator David Armstrong stated that he had met with Stuart Taylor and Dr. Ed Franklin and they are requesting the Board of Supervisors approval to draw \$2.2 Million in funds from the State Development Bank for the Civic Center. Mr. Armstrong stated that he had nothing in writing for the request. Supervisor Jessie Medlin and Supervisor Tommy Lewis stated that the Boards needed something in writing from the Civic Center before they would approve the draw of the \$2.2 Million.

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to carry this item over until January 3, 2001 and for County Administrator David Armstrong to contact Stuart Taylor and Dr. Ed Franklin about the Boards request. The motion passed by a unanimous vote.

10. Approval to Renew or Rebid Certain Contracts

a. Civil Defense – Lease Agreement for Use of the Nesbit Fire Department

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion for the Board of Supervisors to approve the Amendment to Lease Agreement between the Nesbit Volunteer Fire Station 1, 1069 Dean Rd., Hernando, MS and the County Sheriff’s Search and Rescue Unit. The motion passed by a unanimous vote.

b. EMS – Lease Agreement with Stan Elam

Supervisor Eugene Thach asked why does the County need to lease a tower when the County is in the process of putting up a tower. County Administrator David Armstrong said that EMS Director Bobby Storey recommended the lease agreement due to the County not having a site where a tower can be put. Mr. Armstrong said that he would check with Mr. Storey again. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to hold this item over until the County Administrator could discuss County tower with the EMS Director. The motion was approved by a unanimous vote.

c. Hernando Civic Center Lease Agreement

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to extend the lease agreement between the DeSoto County Board of Supervisors and the Hernando Civic Center Association, Inc. under the same terms and conditions as approved by the DeSoto County Board of Supervisors on January 8, 1996 and for approval for the Board President to sign agreement. The motion passed by a unanimous vote.

d. Justice Court and EMS – Franklin Collection Service

County Administrator David Armstrong stated that each Supervisor has a copy of the Franklin

Collection Agency activity report for the period of June 1998 through December 2000 to review their performance. The Board of Supervisors discussed the benefits to DeSoto County to extend
ITEM F, CONTINUED,

this agreement. Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to renew the contract for collections in DeSoto County Justice Court and EMS through December 31, 2002. The motion passed by a unanimous vote.

11. Central Maintenance – Kenny Gunn, Road Manager
a. Road Inspection Report and Four Year Road Plan (Old Business)

Road Manager Kenny Gunn reported that the four-year road plan is complete with the exception of some minor road projects and this years overlay. Supervisor Eugene Thach suggested letting each Supervisor make their comments so the Board could see their changes and then the Board can decide whether to adopt the list. The Board Attorney Bill Austin cautioned the Board that they have until the last meeting in the month of January to adopt the four-year road plan. Mr. Austin said that the road inspection report approval should determine the Boards opinion of the road conditions. The four-year road plan will set the plan of action for the roads and the Board may elect to approve the overlay project list to determine the four-year road plan. Supervisor Tommy Lewis told the Road Manager that the Board of Supervisors need a draft of the four-year road plan in their hands as soon as possible.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to hold this item over until January 22, 2001. The motion passed by a vote as follows:

Supervisor Jessie Medlin	NO
Supervisor Eugene C. Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	YES

Supervisor Medlin explained that his dissenting vote was due to the fact that the road inspection list should have been adopted by December 31ST, 2000.

b. Road Report and Work Schedule

Pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated, County Road Manager Kenny Gunn presented the Road Report for November 28 thru December 20, 2000 and the Work Schedule for the month of January 2001. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the County Road Report and Work schedule. The motion passed by a unanimous vote. ****See Exhibit F.11.b****

c. Recommendation to Engineer Improvements to Certain Roads (Old Bus)

County Engineer Tom Childress reported to the Board, his qualifications will allow him to do the engineering on the roads listed on the December 20TH list from the County Road Manager of large roadway projects and minor roadway projects. Mr. Childress pointed that the list is not prioritized and he will need the Boards clarification on how to schedule the roads. Mr. Childress said that he would assume that McIngvale Road is first priority on the list. ****See Exhibit F.11.c****

d. Road Bond Report

Road Manager Kenny Gunn presented the Road Bond Report to the Board of Supervisors for review. Supervisor Tommy Lewis asked if the road department is only sending one notice. The Road Manager said that if the developer is talking with Mr. Ivy he is not sending the second notice, however if the developer has not contacted him, he does send the second notice. Mr. Gunn said recently told Mr. Ivy to continue sending the second notice until the bond has been

addressed. The Board of Supervisors agreed.

ITEM F, CONTINUED,

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the Road Bond Report for January 2001. The motion passed by a unanimous vote.

****See Exhibit F.11.d****

12. Approval of Publication of Board Proceedings

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the publication of Board Proceedings in connection with Section 19-3-33 of the Mississippi Code which states that the Board of Supervisors may have its proceedings published in some newspaper published in the county, and cause the same to be paid for out of the county treasury. The motion passed by a unanimous vote.

13. Sheriff's Employee Report

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to acknowledge receipt of the Sheriff's Department Employee Reports for the months of December 2000. The report is attached and made a part of the minutes in Exhibit F.13. ****See Exhibit F.13****

14. Hacks Cross Road – Making Approval of Grant Extension Part of the Minutes

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to authorize the Board President to sign the Contract Modification between DeSoto County and the Mississippi Development Authority for the CDBG Project Number 97-017-ED-IF01, for the construction of Hacks Cross Road, and to make the contract modification part of the minutes. The motion passed by a unanimous vote. ****See Exhibit F.14****

G. EXECUTIVE SESSION

The executive session portions of these minutes are recorded under the portion of the minutes called "Executive Session".

H. OTHER ISSUES

1. Central Maintenance Equipment – Emergency

County Road Manager Kenny Gunn asked the Board of Supervisors for a clarification of his department's responsibility and limitations to work with another department in an emergency. Originally T. H. Walker was authorized to call an emergency that would allow the Road Department to get off the road right of way. The Board of Supervisors said if we determine an emergency exists and there is an immediate need, the Road Department can help. County Road Manager Kenny Gunn informed the Board of Supervisors that during the holiday season, there was a fire in the County and that one of the road foreman received a call requesting a backhoe to move debris for the fire investigators so they could determine the cause of the fire. Mr. Gunn stated that the foreman took the backhoe out and did the job and informed him after the fact. Mr. Gunn asked the Board of Supervisors the policy for use of County equipment not related to an emergency.

Board Attorney Bill Austin stated that everyone must be careful and use common sense when a request for County equipment is made. Mr. Austin stated that the first thing to do is try to contact the Board of Supervisors or County Administrator by phone for approval to use County equipment. Mr. Austin said that in the case of fires that the Sheriff should be contacted and then he could contact the Board of Supervisors for equipment required. Mr. Austin said that a letter should be sent to all personnel, directing the procedure to follow for use of County equipment not related to a regular job. Mr. Austin said that the Director of Civil Defense and the Sheriff are the only personnel with authority to direct the use of County equipment without the Board of Supervisors consent. A

written request stating the circumstances should be sent to the Board of Supervisors and the request should be spread on the minutes of this Board of Supervisors after the fact.

ITEM H.1, CONTINUED,

Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to accept the County Road Manager Kenny Gunn's verbal report of County equipment being used during the holiday for a fire investigation and instructed that all future incidents be initiated thru the Sheriff or Director of Civil Defense and whenever it is not possible to bring such matters to the Board of Supervisors when immediate action is necessary, the written request of all future incidents be made a part of the minutes at the next regular session. The motion passed by a unanimous vote.

2. Garbage Collection During Holiday Season

Supervisor Jessie Medlin said that during Christmas week BFI should design a plan to have extra garbage trucks out to handle extra large garbage pickups. Supervisor Medlin said that every year there are complaints about garbage not being picked up in a timely manor during the holidays. Supervisor Gerald Clifton said that the Twin Lakes area had problem with garbage not being picked up.

Director of Operations Jim Bearden stated that the below freezing weather had caused problems with the garbage equipment and that it caused the freezing up of the hydraulic systems in the trucks. Mr. Bearden stated that extra trucks were put into service for the holiday season, but felt that the major problems were due to the extreme cold temperatures and bad road conditions causing the main reason that some garbage was late in being picked up. Supervisor John Caldwell said that he had observed the garbage pick up in his district and wanted to comment that the extra garbage that was beside the cans had been picked up whereas in the past it had been left if it was not in the cans.

3. Homestead Exemptions

Chancery Clerk W. E. Davis request the Board of Supervisors approval of the Homestead Exemption Adjustments to Roll for DeSoto County year 2000. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the Chancery Clerk's Homestead Exemption Adjustment to Roll for DeSoto County year 2000 as presented. The motion passed by a unanimous vote. ****See Exhibit H.3****

4. Lights for Streets to Civic Center

Supervisor Jessie Medlin stated that the lights to the Civic Center should be installed as soon as possible. Supervisor Medlin said that he has received several complaints regarding the lighting system going out to the Civic Center. Supervisor Medlin asked who was responsible for installing the lights, the City of Southaven, the Civic Center, or the County. Board Attorney Bill Austin stated that it was his understanding that the City of Southaven was responsible for installing the lights. Mr. Austin said the City of Southaven has already taken in the road leading to Church Road, and will build a fire station on the road.

Supervisor Jessie Medlin said that if the Civic Center has a problem with money needed to install lights, that they need to let the County know so that some arrangements could be worked out. Supervisor Eugene Thach asked for the Board Attorney and the County Administrator to talk with the Civic Center personnel about the street lights to see what is causing the delay in the installation. Supervisor John Caldwell said that if it is the City of Southaven's responsibility that the city may just be slow to install the lights.

Board Attorney Bill Austin said that the Civic Center road to Hwy 51 was a four-lane road and that the discussion of making into five lanes would require that the existing utility lines be moved. County Road Manager Kenny Gunn stated that if the County decides to do anything that the drainage structures are not right and the County will have to rework the drainage structures.

5. Central Maintenance Patching Holes in Incorporated Areas

Supervisor Jessie Medlin said he feels the County needs to get holes patched in the roads whether
ITEM H.5, CONTINUED,

they are in the City or the County.

Supervisor John Caldwell said that he would rather call the city to report the problem before the County takes action to repair the road then if the city cannot do it then the County could. Supervisor Caldwell said that he speculates that the County's responsibility to patch holes in the city will grow. Supervisor Caldwell said that the city should have the first opportunity to fix such problems. Supervisor Caldwell said that if County were to fix a pothole incorrectly and an accident were to occur, the County could be liable for any damage. Supervisor Caldwell said he does not feel the County should get into the business of fixing potholes within the city but if the Board votes to do so he will be happy to have a list from the City of Horn Lake of items that need fixing in their city.

Supervisor Tommy Lewis said there is validity to both arguments.

Supervisor Jessie Medlin used the example of Church Road between Getwell and Pleasant Hill and it's need to be restriped. Supervisor Medlin said that it is in the city but it is a state aide roadway. No motions were made or vote taken on this item of business.

6. Subdivision Thousand Oaks

Supervisor Tommy Lewis said there are several stop signs in Thousand Oaks subdivision that are down and need to be replaced. One is at Jaybird Road, one is east of Green T and Brights Road, and one is at Byhalia Road. Supervisor Lewis asked that the Road Department foreman be aware of other areas where stop signs should be replaced as they are out in the County.

7. Roads Thompson Lane

Supervisor Jessie Medlin asked the Road Manager Kenny Gunn to verify the improvements to Archer Cove / Thompson Lane are in accordance with the Board order.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to recess until Wednesday, January 3, 2001 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 2ND. day of January, 2001, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors